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C O N F I D E N T I A L ROME 004238

SIPDIS

E.O. 12958: DECL: 08/30/2012  
TAGS: [EU](#) [IT](#) [MOPS](#) [PGOV](#) [PHUM](#) [PREL](#) [KICC](#) [AFGHANISTAN](#)  
SUBJECT: ARTICLE 98 AND AFGHANISTAN DEPLOYMENT:  
BERLUSCONI'S TOP ADVISER REPEATS ASSURANCES

REF: A. ROME 4212

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CLASSIFIED BY: CHARGE D'AFFAIRES A.I. EMIL M. SKODON, REASON: 1.5 (B) A  
ND (D)

[11.](#) (C) CHARGE FOLLOWED UP ARTICLE 98 DEMARCHE (REFS) IN HIS INITIAL CALL ON PRIME (AND FOREIGN) MINISTER BERLUSCONI'S DIPLOMATIC ADVISER, GIANNI CASTELLANETA, AUGUST 30. CASTELLANETA EXPRESSED APPRECIATION FOR THE INFORMATION ALREADY PROVIDED, FROM WHICH HE HAD DRAWN IN WORKING OUT THE GOI'S APPROACH WITH THE MFA'S LEGAL ADVISER. HE REAFFIRMED THE GOI VIEW THAT THERE SHOULD BE NO ACTION TAKEN AT THE AUG. 30-31 GYMNICHT MEETING THAT WOULD PREJUDGE THE EU'S DECISION. HE DESCRIBED IN DETAIL THE PERSONAL EFFORT AT COORDINATION WITH THE UK THAT HE HAD MADE WITH THE UK EMBASSY IN ROME.

[12.](#) (C) CASTELLANETA NOTED THAT THE MFA'S LEGAL ADVISERS HAD IDENTIFIED ONE POTENTIAL PROBLEM WITH THE DRAFT BILATERAL AGREEMENT PROVIDED TO THE GOI: THE APPLICATION OF THE AGREEMENT TO AMERICAN CITIZENS NOT ACTING IN AN OFFICIAL CAPACITY. CHARGE NOTED THAT THE USG DID NOT BELIEVE THERE WAS ANY OBSTACLE IN THE STATUTE OF ROME TO INCLUDING ALL CITIZENS OF A COUNTRY IN SUCH AN AGREEMENT, AND WASHINGTON WOULD STRONGLY PREFER THAT ANY AGREEMENT NOT BE SO LIMITED. CASTELLANETA SAID THE GOI WAS CONCERNED THAT THERE BE NO BARRIER FOR EXTRADITION IN A CASE SUCH AS THAT OF JOHN WALKER LINCH, THE US CITIZEN WHO FOUGHT WITH THE TALIBAN.

[13.](#) (C) CASTELLANETA POINTED US TO THAT MORNING'S ISSUE OF IL FOGLIO, THE INFLUENTIAL DAILY. HE SAID THAT HE HAD BRIEFED EDITOR GIULIO FERRARA EXTENSIVELY ON THE GOI'S APPROACH TO  
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ARTICLE 98, AND THAT THE FRONT-PAGE ARTICLE "IS OUR POSITION." (NOTE: THE ARTICLE WAS THE MOST POSITIVE PRESENTATION OF THE ARTICLE 98 ISSUE WE HAVE YET SEEN IN THE ITALIAN PRESS. IT SAYS ITALY WILL DEFINITELY SIGN AN AGREEMENT WITH THE US, THOUGH IT IS IN NO HURRY. IT WANTS FIRST TO EXPLORE THE POSSIBILITY OF A COOPERATIVE EU-US APPROACH TO THE SUBJECT, AND IS ACTIVELY COORDINATING WITH LIKE-MINDED MEMBERS, WHICH ARE LISTED AS THE UK, PORTUGAL, SPAIN AND THE NETHERLANDS. EMBASSY WILL FORWARD TRANSLATION OF ARTICLE SHORTLY.)

OPERATION ENDURING FREEDOM

[14.](#) (C) THE CHARGE NOTED THE DEEP RESPECT THE US HAD FOR THE COMBAT CAPABILITY OF THE ITALIAN ARMY'S ALPINI UNIT, AND ALERTED CASTELLANETA THAT A FORMAL REQUEST WOULD SOON BE FORTHCOMING FOR A SIGNIFICANT NUMBER OF "ALPINI-LIKE" TROOPS TO BE DEPLOYED TO OEF. AS CASTELLANETA WAS AWARE, CENTCOM AND ITALIAN MILITARY OFFICIALS HAD WORKED OUT A MUTUALLY ACCEPTABLE DEFINITION OF THE MISSION AND DEPLOYMENT TIMEFRAME. CASTELLANETA AFFIRMED THAT PM BERLUSCONI WOULD INFORM THE PARLIAMENT WHEN IT RESUMES WORK IN SEPTEMBER OF THE INTENTION TO DEPLOY, BUT WOULD NOT NEED TO SEEK THE PARLIAMENT'S AUTHORIZATION.  
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